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6 Attorneys for Defendant
7 ASSET ACCEPTANCE, LLC

8 **UNITED STATES DISTRICT COURT**
9 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

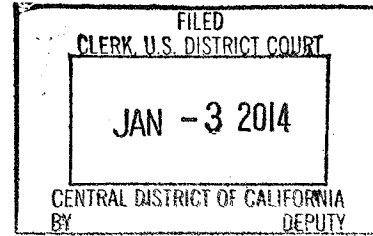
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11
12 JENIFFER JELENSKY, an individual
13 Plaintiff,
14 vs.
15 ASSET ACCEPTANCE, entity unknown,
16 and DOES 1 through 10 inclusive,
17 Defendants.

Case No.

CV 14-00083-DSF
GJG

**DEFENDANT ASSET
ACCEPTANCE, LLC'S NOTICE
OF REMOVAL**

[28 U.S.C. § 1331]



DYKEMA GOSSETT LLP
333 SOUTH GRAND AVENUE
SUITE 2100
LOS ANGELES, CA 90071

1 Defendant Asset Acceptance, LLC ("Asset") hereby gives notice that this
 2 action is removed from the Superior Court of the State of California, County of Los
 3 Angeles to the United States District Court for the Central District of California,
 4 pursuant to 28 U.S.C. §§ 1441 and 1446. In support thereof, and for the purpose of
 5 removal only, Asset states as follows:

6 1. On November 18, 2013, Plaintiff commenced this action against Asset in
 7 the Superior Court of the State of California, County of Los Angeles, Limited Civil
 8 Division, Case No. 13K16407. Asset was served with the Complaint on December 4,
 9 2013. Copies of all process, pleadings, and orders served upon Asset in the action,
 10 and a true and correct copy of the Superior Court docket in the action, are contained
 11 in Exhibit A attached hereto.

12 2. Plaintiff alleges Asset violated the Fair Debt Collection Practices Act
 13 ("FDCPA"), 15 U.S.C. §§1692 et seq. and the Rosenthal Fair Debt Collection
 14 Practices Act ("RFDCPA"), California Civil Code §1788., et seq. Both claims arise
 15 from a common nucleus of operative facts. Plaintiff claims Asset violated the
 16 FDCPA and RFDCPA in connection with Asset's efforts to collect a debt owed by
 17 Plaintiff.

18 3. This Court has original jurisdiction over the subject action pursuant to 28
 19 U.S.C. § 1331, because Plaintiff alleges Asset violated a federal statute – the FDCPA.

20 4. Pursuant to 28 U.S.C. §§ 1441, et seq., this cause may be removed from
 21 the Superior Court of the State of California, County of Los Angeles, to the United
 22 States District Court for the Central District of California.

23 5. Plaintiff also alleges Asset violated a state statute – California Civil
 24 Code § 1788. Because the federal and non-federal claim each derive from a common
 25 nucleus of operative facts, this Court has supplemental jurisdiction over the non-
 26 federal claim alleged against Asset. 28 U.S.C. § 1367(a).

27 6. Notice of this removal has been filed with the Superior Court of the State
 28 of California, County of Los Angeles, and served upon all parties.

1 WHEREFORE, Asset Acceptance, LLC removes the subject action from the
2 Superior Court of the State of California, County of Los Angeles, to the United States
3 District Court for the Central District of California.

4
5 Dated: January 3, 2013

DYKEMA GOSSETT LLP

6
7 By: /s/ Jeffrey A. Iloulian
8 Ashley R. Fickel
9 Jeffrey A. Iloulian
Attorneys for Defendant
ASSET ACCEPTANCE, LLC

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DYKEMA GOSSETT LLP
333 SOUTH GRAND AVENUE
SUITE 2100
LOS ANGELES, CA 90071

EXHIBIT “A”

Case Summary

Case Number: 13K16407
JELENSKY, JENIFFER VS ASSET ACCEPTANCE
Court: Stanley Mosk Courthouse

Filing Date: 11/18/2013
Case Type: OTHER (Limited Jurisdiction)
Status: Pending

Future Hearings

05/18/2015 at 08:30 AM in department 77 at 110 North Grand Ave., Los Angeles, CA 90012
NON-JURY TRIAL

11/18/2016 at 08:30 AM in department 77 at 110 North Grand Ave., Los Angeles, CA 90012
ORDER TO SHOW CAUSE

History Information

Parties

Plaintiff: JELENSKY JENIFFER
Attorney: LAW OFF OF L PAUL MANKIN IV

Defendant: ASSET ACCEPTANCE
Attorney: None

Party Information

Histories (Dates listed in descending order)

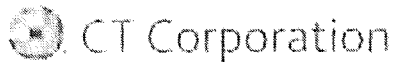
11/22/2013 NON-JURY TRIAL SET FOR 05/18/15, 08:30 AM, DEPT 77

11/21/2013 OSC SET 11/18/16, 08:30 AM, DEPT. 77 PURSUANT TO GENERAL ORDER

11/18/2013 COMPLAINT FILED

11/18/2013 SUMMONS FILED

Case Information | Party Information | History Information



**Service of Process
Transmittal**

12/04/2013

CT Log Number 523999602

TO: Andrea Dickson-Rekasi
Asset Acceptance LLC
28405 Van Dyke Avenue
Warren, MI 48093

RE: Process Served in Wisconsin

FOR: Asset Acceptance, LLC (Domestic State: DE)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Jeniffer Jelensky, etc., Pltf. vs. Asset Acceptance, etc., et al., Dfts.
Name discrepancy noted.

DOCUMENT(S) SERVED: Summons, Cover Sheet(s), Instructions, Complaint, Order

COURT/AGENCY: Los Angeles County Superior Court, CA
Case # 13K16407

NATURE OF ACTION: Defendant violated the Fair Debt Collection Practices Act

ON WHOM PROCESS WAS SERVED: C T Corporation System, Madison, WI

DATE AND HOUR OF SERVICE: By Process Server on 12/04/2013 at 07:50

JURISDICTION SERVED : Wisconsin

APPEARANCE OR ANSWER DUE: Within 30 days

ATTORNEY(S) / SENDER(S): Paul Mankin
8730 Wilshire Blvd, Suite 310
Beverly Hills, CA 90211
800-219-3577

REMARKS: Please note the process server underlined, circled, initialed and/or highlighted the entity being served prior to receipt by C T Corporation System.

ACTION ITEMS: CT has retained the current log, Retain Date: 12/05/2013, Expected Purge Date: 12/10/2013
Image SOP
Email Notification, Andrea Dickson-Rekasi adicksonrekasi@assetacceptance.com
Email Notification, Carol Steury csteury@assetacceptance.com

SIGNED: C T Corporation System
PER: Dawn Pederson
ADDRESS: 8040 Excelsior Drive
Suite 200
Madison, WI 53717
TELEPHONE: 608-833-4821

Page 1 of 1 / PK

Information displayed on this transmittal is for CT Corporation's record keeping purposes only and is provided to the recipient for quick reference. This information does not constitute a legal opinion as to the nature of action, the amount of damages, the answer date, or any information contained in the documents themselves. Recipient is responsible for interpreting said documents and for taking appropriate action. Signatures on certified mail receipts confirm receipt of package only, not contents.

EXHIBIT A - Page 5

SUM-100

SUMMONS (CITACION JUDICIAL)

NOTICE TO DEFENDANT: (AVISO AL DEMANDADO):

ASSET ACCEPTANCE, entity unknown, and DOES 1-10 inclusive

YOU ARE BEING SUED BY PLAINTIFF: (LO ESTÁ DEMANDANDO EL DEMANDANTE):

JENIFFER JELENSKY, an individual

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

**CONFORMED COPY
ORIGINAL FILED**
Superior Court of California
County of Los Angeles

NOV 18 2013

Sherri R. Carter, Executive Officer/Clerk
By Victor Sino-Cruz, Deputy

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case.

¡AVISO! Lo han demandado. Si no responde dentro de 30 días la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO.** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 o más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:
(El nombre y dirección de la corte es): Stanley Mosk Courthouse

111 North Hill Street
Los Angeles, CA 90012

CASE NUMBER 13K16407
(Número del Caso)

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

Paul Mankin, Esq., 8730 Wilshire Blvd. Suite 310, Beverly Hills, CA 90211, (800) 219-3577

DATE: November 5, 2013
(Fecha)

SHERRI R. CARTER, by
(Secretario)

VICTOR SINO-CRUZ, Deputy
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010))

(SEAL)

NOV 18 2013

NOTICE TO THE PERSON SERVED: You are served

1. ☐ as an individual defendant
2. ☐ as the person sued under the fictitious name of (specify):
3. ☒ on behalf of (specify): Asset Acceptance, entity unknown

under: ☐ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)
☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (authorized person)

4. ☒ other (specify): 415.95 Business Organization, Form Unknown
5. ☐ by personal delivery on (date)

Form Adopted for Mandatory Use
Judicial Council of California
SUM-100 (Rev. July 1, 2009)

SUMMONS

Page 1 of 1
Code of Civil Procedure §§ 412.20, 465
www.courtinfo.ca.gov

SHORT TITLE: JELENSKY v ASSET ACCEPTANCE	CASE NUMBER: 13K16407
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**CIVIL CASE COVER SHEET ADDENDUM AND
STATEMENT OF LOCATION
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

This form is required pursuant to Local Rule 2.0 in all new civil case filings in the Los Angeles Superior Court.

Item I. Check the types of hearing and fill in the estimated length of hearing expected for this case:

JURY TRIAL? ☒ YES CLASS ACTION? ☐ YES LIMITED CASE? ☒ YES TIME ESTIMATED FOR TRIAL ⁴ ☒ HOURS/ ☐ DAYS

Item II. Indicate the correct district and courthouse location (4 steps – If you checked “Limited Case”, skip to Item III, Pg. 4):

Step 1: After first completing the Civil Case Cover Sheet form, find the main Civil Case Cover Sheet heading for your case in the left margin below, and, to the right in Column **A**, the Civil Case Cover Sheet case type you selected.

Step 2: Check one Superior Court type of action in Column **B** below which best describes the nature of this case.

Step 3: In Column **C**, circle the reason for the court location choice that applies to the type of action you have checked. For any exception to the court location, see Local Rule 2.0.

Applicable Reasons for Choosing Courthouse Location (see Column C below)

- | | |
|---|---|
| 1. Class actions must be filed in the Stanley Mosk Courthouse, central district.
2. May be filed in central (other county, or no bodily injury/property damage).
3. Location where cause of action arose.
4. Location where bodily injury, death or damage occurred.
5. Location where performance required or defendant resides. | 6. Location of property or permanently garaged vehicle.
7. Location where petitioner resides.
8. Location wherein defendant/respondent functions wholly.
9. Location where one or more of the parties reside.
10. Location of Labor Commissioner Office |
|---|---|

Step 4: Fill in the information requested on page 4 in Item III; complete Item IV. Sign the declaration.

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Auto Tort	Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
	Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1., 2., 4.
Other Personal Injury/Property Damage/Wrongful Death Tort	Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	2. 2.
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8.
	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons	1., 4.
		<input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1., 4.
	Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall) <input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.) <input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress <input checked="" type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1., 4. 1., 4. 1., 3. 1., 4.

SHORT TITLE JELENSKY v ASSET ACCEPTANCE	CASE NUMBER
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	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Non-Personal Injury/Property Damage/Wrongful Death Tort	Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1., 3.
	Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1., 2., 3.
	Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1., 2., 3.
	Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1., 2., 3.
	Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3. 1., 2., 3.
	Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	2., 3.
Employment	Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	1., 2., 3.
	Other Employment (15)	<input type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	1., 2., 3. 10.
Contract	Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2., 5. 2., 5. 1., 2., 5. 1., 2., 5.
	Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case	2., 5., 6. 2., 5.
	Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1., 2., 5., 8.
	Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud <input type="checkbox"/> A6031 Tortious Interference <input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1., 2., 3., 5. 1., 2., 3., 5. 1., 2., 3., 8.
	Real Property	Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels _____
Wrongful Eviction (33)		<input type="checkbox"/> A6023 Wrongful Eviction Case	2., 6.
Other Real Property (26)		<input type="checkbox"/> A6018 Mortgage Foreclosure <input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2., 6. 2., 6. 2., 6.
		Unlawful Detainer	Unlawful Detainer-Commercial (31)
Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)		2., 6.
Unlawful Detainer- Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure		2., 6.
Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs		2., 6.

SHORT TITLE JELENSKY v ASSET ACCEPTANCE	CASE NUMBER
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	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Judicial Review	Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2., 6.
	Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2., 5.
	Writ of Mandate (02)	<input type="checkbox"/> A6151 Writ - Administrative Mandamus <input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter <input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2., 8. 2. 2.
	Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ /Judicial Review	2., 8.
Provisionally Complex Litigation	Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1., 2., 8.
	Construction Defect (10)	<input type="checkbox"/> A6007 Construction Defect	1., 2., 3
	Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1., 2., 8
	Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1., 2., 8
	Toxic Tort Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1., 2., 3., 8.
	Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1., 2., 5., 8.
Enforcement of Judgment	Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment <input type="checkbox"/> A6160 Abstract of Judgment <input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations) <input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes) <input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax <input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2., 9. 2., 6. 2., 9. 2., 8. 2., 8. 2., 8., 9.
	RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1., 2., 8.
	Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only	1., 2., 8.
		<input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment)	2., 8.
		<input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex)	1., 2., 8.
		<input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1., 2., 8.
Miscellaneous Civil Petitions	Partnership Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2., 8.
	Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment <input type="checkbox"/> A6123 Workplace Harassment <input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case <input type="checkbox"/> A6190 Election Contest <input type="checkbox"/> A6110 Petition for Change of Name <input type="checkbox"/> A6170 Petition for Relief from Late Claim Law <input type="checkbox"/> A6100 Other Civil Petition	2., 3., 9. 2., 3., 9. 2., 3., 9 2. 2., 7. 2., 3., 4., 8. 2., 9.

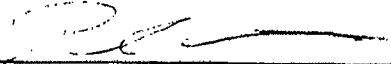
SHORT TITLE JELENSKY v ASSET ACCEPTANCE	CASE NUMBER
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Item III. Statement of Location: Enter the address of the accident, party's residence or place of business, performance, or other circumstance indicated in Item II., Step 3 on Page 1, as the proper reason for filing in the court location you selected.

REASON: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected for this case. <input type="checkbox"/> 1. <input type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10.		ADDRESS 1850 N. New Hampshire Ave.
CITY Los Angeles	STATE CA	ZIP CODE 90027

Item IV. Declaration of Assignment: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the above-entitled matter is properly filed for assignment to the Stanley Mosk courthouse in the Central District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., § 392 et seq., and Local Rule 2.0, subds. (b), (c) and (d)].

Dated: November 5, 2013


(SIGNATURE OF ATTORNEY/FILING PARTY)

PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 03/11).
5. Payment in full of the filing fee, unless fees have been waived.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

CM-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) Paul Mankin, Esq. SBN: 264038 The Law Office of Paul Mankin 8730 Wilshire Blvd., Suite 310 Beverly Hills, CA 90211 TELEPHONE NO (800) 219-3577 FAX NO (323) 207-3885 ATTORNEY FOR (Name) JENIFFER JELENSKY		FOR COURT USE ONLY CONFORMED COPY ORIGINAL FILED Superior Court of California County of Los Angeles NOV 18 2013 Sherri R. Carter, Executive Officer/Clerk By Victor Sino-Cruz, Deputy	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS 111 North Hill Street MAILING ADDRESS 111 North Hill Street CITY AND ZIP CODE Los Angeles, 90012 BRANCH NAME Stanley Mosk Courthouse		CASE NAME: JELENSKY v ASSET ACCEPTANCE	
CIVIL CASE COVER SHEET <input type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000)		<input checked="" type="checkbox"/> Limited (Amount demanded is \$25,000 or less)	
<input type="checkbox"/> Counter		<input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)	
CASE NUMBER 13K16407		JUDGE DEPT	

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:		
Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) Non-PI/PD/WD (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input checked="" type="checkbox"/> Other non-PI/PD/WD tort (35) Employment <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)

2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- | | |
|--|--|
| a. <input type="checkbox"/> Large number of separately represented parties | d. <input type="checkbox"/> Large number of witnesses |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence | f. <input type="checkbox"/> Substantial postjudgment judicial supervision |
3. Remedies sought (check all that apply): a. ☒ monetary b. ☒ nonmonetary; declaratory or injunctive relief c. ☐ punitive
4. Number of causes of action (specify):
5. This case ☐ is ☒ is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: November 5, 2013

Paul Mankin, Esq.

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

 Form Adopted for Mandatory Use
 Judicial Council of California
 CM-010 (Rev. July 1, 2007)
CIVIL CASE COVER SHEET
 Cal. Rules of Court, rules 2.30, 3.220, 3.400-3.403, 3.740.
 Cal. Standards of Judicial Administration, std. 3.10
 www.courtinfo.ca.gov

CM-010

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you **must** complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES**Auto Tort**

- Auto (22)—Personal Injury/Property Damage/Wrongful Death
- Uninsured Motorist (46) *(if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto)*

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

- Asbestos (04)
- Asbestos Property Damage
- Asbestos Personal Injury/Wrongful Death
- Product Liability *(not asbestos or toxic/environmental)* (24)
- Medical Malpractice (45)
- Medical Malpractice—Physicians & Surgeons
- Other Professional Health Care Malpractice
- Other PI/PD/WD (23)
- Premises Liability (e.g., slip and fall)
- Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
- Intentional Infliction of Emotional Distress
- Negligent Infliction of Emotional Distress
- Other PI/PD/WD

Non-PI/PD/WD (Other) Tort

- Business Tort/Unfair Business Practice (07)
- Civil Rights (e.g., discrimination, false arrest) *(not civil harassment)* (08)
- Defamation (e.g., slander, libel) (13)
- Fraud (16)
- Intellectual Property (19)
- Professional Negligence (25)
- Legal Malpractice
- Other Professional Malpractice *(not medical or legal)*
- Other Non-PI/PD/WD Tort (35)

Employment

- Wrongful Termination (36)
- Other Employment (15)

Contract

- Breach of Contract/Warranty (06)
- Breach of Rental/Lease Contract *(not unlawful detainer or wrongful eviction)*
- Contract/Warranty Breach—Seller Plaintiff *(not fraud or negligence)*
- Negligent Breach of Contract/Warranty
- Other Breach of Contract/Warranty
- Collections (e.g., money owed, open book accounts) (09)
- Collection Case—Seller Plaintiff
- Other Promissory Note/Collections Case
- Insurance Coverage *(not provisionally complex)* (18)
- Auto Subrogation
- Other Coverage
- Other Contract (37)
- Contractual Fraud
- Other Contract Dispute

Real Property

- Eminent Domain/Inverse Condemnation (14)
- Wrongful Eviction (33)
- Other Real Property (e.g., quiet title) (26)
- Writ of Possession of Real Property
- Mortgage Foreclosure
- Quiet Title
- Other Real Property *(not eminent domain, landlord/tenant, or foreclosure)*

Unlawful Detainer

- Commercial (31)
- Residential (32)
- Drugs (38) *(if the case involves illegal drugs, check this item; otherwise report as Commercial or Residential)*

Judicial Review

- Asset Forfeiture (05)
- Petition Re: Arbitration Award (11)
- Writ of Mandate (02)
- Writ—Administrative Mandamus
- Writ—Mandamus on Limited Court Case Matter
- Writ—Other Limited Court Case Review
- Other Judicial Review (39)
- Review of Health Officer Order
- Notice of Appeal—Labor Commissioner Appeals

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)

- Antitrust/Trade Regulation (03)
- Construction Defect (10)
- Claims Involving Mass Tort (40)
- Securities Litigation (28)
- Environmental/Toxic Tort (30)
- Insurance Coverage Claims *(arising from provisionally complex case type listed above)* (41)

Enforcement of Judgment

- Enforcement of Judgment (20)
- Abstract of Judgment (Out of County)
- Confession of Judgment *(non-domestic relations)*
- Sister State Judgment
- Administrative Agency Award *(not unpaid taxes)*
- Petition/Certification of Entry of Judgment on Unpaid Taxes
- Other Enforcement of Judgment Case

Miscellaneous Civil Complaint

- RICO (27)
- Other Complaint *(not specified above)* (42)
- Declaratory Relief Only
- Injunctive Relief Only *(non-harassment)*
- Mechanics Lien
- Other Commercial Complaint Case *(non-tort/non-complex)*
- Other Civil Complaint *(non-tort/non-complex)*

Miscellaneous Civil Petition

- Partnership and Corporate Governance (21)
- Other Petition *(not specified above)* (43)
- Civil Harassment
- Workplace Violence
- Elder/Dependent Adult Abuse
- Election Contest
- Petition for Name Change
- Petition for Relief From Late Claim
- Other Civil Petition

CONFORMED COPY
ORIGINAL FILED
Superior Court of California
County of Los Angeles

NOV 18 2013

Sheri R. Carter, Executive Officer/Clerk
By Victor Sino-Cruz, Deputy

Paul Mankin- State Bar No. 264038
The Law Office of L. Paul Mankin IV
8730 Wilshire Blvd., Suite 310
Beverly Hills, CA 90211
Phone: (800)-219-3577
Facsimile: (323) 207-3885

Attorney for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR LOS ANGELES COUNTY

LIMITED JURISDICTION

13K16407

JENIFFER JELENSKY, an individual,
Plaintiff,

vs.

ASSET ACCEPTANCE, entity unknown, and
DOES 1 through 10 inclusive,

Defendants.

Case No.:

COMPLAINT

Amount not to exceed \$10,000.00

1. Violation of the Federal Fair Debt Collection Practices Act;
2. Violation of the Rosenthal Fair Debt Collection Practices Act;

INTRODUCTION

1. This is an action for damages brought by an individual consumer for Defendant's violations of the Fair Debt Collection Practices Act, 15 U.S.C. §1692, *et seq.*, ("hereinafter "FDCPA"), the Rosenthal Fair Debt Collection Practices Act, Cal. Civ. Code §1788, *et seq.* ("hereinafter "RFDCPA"), both of which prohibit debt collectors from engaging in abusive, deceptive, and unfair practices.

COMPLAINT - I

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PARTIES

2. Plaintiff JENIFFER JELENSKY ("Plaintiff"), a natural person who at all times herein mentioned was a resident of the City of Los Angeles, in Los Angeles County, and State of California and is a "consumer" as defined by the FDCPA, 15 U.S.C. §1692a(3) and a "debtor" as defined by Cal. Civ. Code §1788.2(h). Plaintiff at all relevant times with respect to this complaint was a resident of Los Angeles County California.

3. At all relevant times herein, Defendant, ASSET ACCEPTANCE (hereinafter "AA"), was a company engaged, by use of mails and telephone, in the business of collecting a debt from Plaintiff which qualifies as a "debt," as defined by 15 U.S.C. §1692(a)(5) and a "consumer debt" as defined by Cal. Civ. Code §1788.2(f). Defendant regularly attempts to collect debts alleged to be due another, and therefore is a "debt collector" as defined by the FDCPA, 15 U.S.C. §1692(a)(6), and RFDCPA, Cal. Civ. Code §1788.2(c).

4. Plaintiff does not know the true names and capacities, whether corporate, partnership, associate, individual or otherwise, of Defendants sued herein as Does 1 through 10, inclusive, and therefore names said Defendants under provisions of *Section 474 of the California Code of Civil Procedure*.

5. Plaintiff is informed and believes, and on that basis alleges that Defendants Does 1 through 10 are in some manner responsible for acts, occurrences and transactions set forth herein and are legally liable to Plaintiff.

FACTUAL ALLEGATIONS

6. At various and multiple times prior to the filing of the instant complaint, including within the one year preceding the filing of this complaint, Defendant contacted Plaintiff in an attempt to collect an alleged outstanding debt.

1 7. This financial obligation was primarily for personal, family or household purposes and
2 are therefore "debt(s)" as that term is defined by 15 U.S.C. § 1692a(5).

3
4 8. Defendant AA has placed calls to Plaintiff on a daily basis regarding the collection of a
5 debt allegedly owed by Plaintiff.

6 9. Plaintiff has received multiple telephone calls each day from Defendant in connection
7 with the collection of the alleged debt.

8
9 10. On information and belief, on average, Plaintiff received two or more calls per day from
10 Defendant.

11 11. On information and belief, on average, Plaintiff received fifteen or more calls per week
12 from Defendant calling from phone number (800) 545-9931.

13 12. Defendant AA continued to call in spite of Plaintiff's repeated requests that they cease
14 their collection attempts.

15
16 13. On information and belief, the amount demanded by Defendant AA was not an amount
17 owed by Plaintiff to any creditor including Defendant AA.

18 14. Defendant's conduct violated the FDCPA, and the RFIDCPA, in multiple ways, including
19 but not limited to:

- 20
21 a) Engaging in conduct the natural consequence of which is to harass, oppress, or abuse
22 Plaintiff (§1692d);
23 b) Causing a telephone to ring or engaging any person in telephone conversation
24 repeatedly or continuously with intent to annoy, abuse, or harass any person at the
25 called number (§1692d(5));
26 c) Attempting to collect an amount not legally owed (§1692e(2)(A));
27 d) Communicating, by telephone or in person, with plaintiff with such frequency as to
28 be unreasonable and to constitute a harassment to Plaintiff under the circumstances
(Cal. Civ. Code §1788.11(c));
 e) Causing a telephone to ring repeatedly or continuously to annoy Plaintiff (Cal. Civ.
Code §1788.11(d)).

1
2 15. As a result of the above violations of the FDCPA, RFDCPA, Plaintiff suffered and
3 continues to suffer injury to Plaintiff's feelings, personal humiliation, embarrassment, mental
4 anguish and emotional distress, and Defendant is liable to Plaintiff for Plaintiff's actual damages,
5 statutory damages, and costs and attorney's fees.
6

7 **COUNT I: VIOLATION OF THE FAIR**
8 **DEBT COLLECTION PRACTICES ACT**

9 16. Plaintiff reincorporates by reference all of the preceding paragraphs.
10

11 17. To the extent that Defendant's actions, counted above, violated the FDCPA, those actions
12 were done knowingly and willingly.
13

14 **PRAYER FOR RELIEF**

15 WHEREFORE, Plaintiff respectfully prays that judgment be entered against Defendant
16 for the following:
17

- 18 A. Actual damages;
19 B. Statutory damages;
20 C. Costs and reasonable attorney's fees; and
21 D. For such other and further relief as may be just and proper.
22

23 **COUNT II: VIOLATION OF THE ROSENTHAL FAIR**
24 **DEBT COLLECTION PRACTICES ACT**

25 18. Plaintiff reincorporates by reference all of the preceding paragraphs.
26

27 19. To the extent that Defendant's actions, counted above, violated the RFDCPA, those
28 actions were done knowingly and willingly.

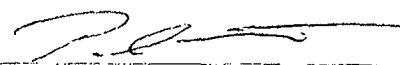
1
2
3 **PRAYER FOR RELIEF**

4 WHEREFORE, Plaintiff respectfully prays that judgment be entered against Defendant
5 for the following:

- 6 A. Actual damages;
7 B. Statutory damages;
8 C. Costs and reasonable attorney's fees; and
9 D. For such other and further relief as may be just and proper.

10 **PLAINTIFF HEREBY REQUESTS A JURY TRIAL**

11
12 Date: November 5, 2013

13 
14 Paul Mankin, Esq.
15 Attorney for Plaintiff
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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

In re Los Angeles Superior Court Cases General) Case No.:
Order – Limited Jurisdiction (Non-Collections))
Cases) GENERAL ORDER
)
)
)
)

13K16407

TO EACH PARTY AND TO THE ATTORNEY OF RECORD FOR EACH PARTY:

Pursuant to the California Code of Civil Procedure, the California Rules of Court, and the Los Angeles County Court Rules, the COURT HEREBY GENERALLY ORDERS AS FOLLOWS IN THIS ACTION:

1. **PLAINTIFF/S IS/ARE ORDERED TO SERVE A COPY OF THIS GENERAL ORDER ON THE DEFENDANT/S WITH COPIES OF THE SUMMONS AND COMPLAINT AND TO FILE PROOF OF SERVICE, AS MANDATED IN THIS ORDER. (Code Civ. Proc., § 594, subd. (b).)**

2. The Court sets the following trial date in this case in Department 77 at the Stanley Mosk Courthouse, 111 North Hill Street, Los Angeles, CA 90012:

~~POS: 05 / 19 / 2014 TRIAL: 05 / 18 / 2015 OSC: 11 / 18 / 2016~~

TRIAL:

• **Date:** _____ **at 8:30 a.m.**

SERVICE OF SUMMONS AND COMPLAINT

3. The trial date set forth above is conditioned on the defendant/s being served with the summons and complaint within six (6) months of the filing of the complaint. The

1 trial date will be continued to a later date if service is not accomplished within six (6)
2 months. The parties may stipulate to keep the original trial date even if service of the
3 summons and complaint is not completed within six (6) months of the filing of the original
4 complaint.

5 4. The summons and complaint shall be served upon the defendant/s within three
6 (3) years after the complaint is filed in this action. (Code Civ. Proc., § 583.210, subd. (a).)
7 Failure to comply will result in dismissal, without prejudice, of the action, as to all unserved
8 parties who have not been dismissed as of that date. (Code Civ. Proc., § 581, subd. (b)(4).)
9 The dismissal as to the unserved parties, without prejudice, for this case shall be effective on
10 the following date:
11

12
13 **UNSERVED PARTIES DISMISSAL DATE**

14
15 ~~POS: 05 / 19 / 2014 TRIAL: 05 / 18 / 2015~~ ~~OSL: 11 / 11 / 2013~~
16

17
18 5. No Case Management Review (CMR) will be conducted in this case.
19

20 **LAW AND MOTION**

21 6. All regularly noticed pre-trial motions will be heard in Department 77 on
22 Mondays, Tuesdays, Wednesdays, and Thursdays at 8:30 a.m. Motions will require parties
23 to reserve a hearing date by calling (213) 974-6247. All motions should be filed in Room
24 102 of the Stanley Mosk Courthouse.
25

26 7. Tentative rulings may be posted on the Court's internet site at
27 <http://www.lasuperiorcourt.org/tentativeruling> the day prior to the hearing.
28

EX PARTE APPLICATIONS

8. Ex parte applications should be noticed for 1:30 p.m. in Department 77. All applications must be filed by 1:00 p.m. in Room 102 of the Stanley Mosk Courthouse.

JURY FEES

9. The fee shall be due no later than 365 calendar days after the filing of the initial complaint. (Code Civ. Proc., § 631, subds. (b) and (c).)

STIPULATION TO CONTINUE TRIAL

10. A trial will be postponed if all attorneys of record and/or the parties who have appeared in the action stipulate in writing to a specific continued date. If the Stipulation is filed less than five (5) court days before the scheduled trial date, then a courtesy copy of the stipulation must be filed in Department 77. The stipulation and order should be filed in Room 102 of the Stanley Mosk Courthouse with the required filing fees. (Code Civ. Proc., § 595.2 and Govt. Code § 70617, subd. (c)(2).)

TRIAL

11. Parties are to appear on the trial date ready to go to trial, and must meet and confer on all pretrial matters at least 20 calendar days before the trial date. On the day of trial the Parties shall bring with them to Department 77 all of the following:

- i. Joint Statement of the Case;
- ii. Motions in Limine, which must be served and filed in accordance with the Local Rules of the Los Angeles Superior Court (LASC), see local rule 3.57;
- iii. Joint Witness List disclosing the witnesses who will be called what they will testify to, and how long their testimony will take;
- iv. Joint Exhibits in exhibit books, numbered appropriately, and Exhibit List;

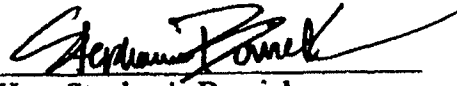
1 v. Joint Proposed Jury Instructions printed out for the court; and

2 vi. Joint Proposed Verdict form(s) printed out for the court.

3 12. **FAILURE TO COMPLY WITH ANY REQUIREMENT SET FORTH**
4 **IN PARAGRAPH 11 ABOVE MAY RESULT IN SANCTIONS OR THE VACATING**
5 **OF THE TRIAL DATE. (Los Angeles Superior Court Local Rule 3.37.)**
6

7
8 **GOOD CAUSE APPEARING THEREFORE, IT IS SO ORDERED.**
9

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11 DATE: March 13, 2013

12 
13 Hon. Stephanie Bowick
14 Judge of the Superior Court
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**SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES
NOTICE OF CASE PROCEDURES & REQUIREMENTS LIMITED CIVIL
(NON-COLLECTION)ACTIONS**

Case Number: _____

THIS FORM WILL BE POSTED IN THE COURTROOM AND ON THE COURT'S WEBSITE

LIMITED JURISDICTION CASE MANAGEMENT PROCEDURES AND INSTRUCTIONS

The following critical provisions, as applicable in the Central District are cited for your information:

TIME STANDARDS:

COMPLAINTS: All complaints should be served and the proof of service filed within 60 days after filing of the complaint.

CROSS-COMPLAINTS: Without leave of court first being obtained, no cross-complaint may be filed by any party after their answer is filed. Cross-complaints against parties new to the action must be served and the proof of service filed within 30 days after the filing of the cross-complaint. A cross-complaint against a party who has already appeared in the action must be accompanied by proof of service of the cross-complaint at the time it is filed (Code Civ. Proc. §428.50).

DEFAULTS: (Local Rule 9.10, Cal. Rules of Court, rule 3.110(g)). If a responsive pleading is not served within the time to respond and no extension of time has been granted, the plaintiff should file a Request for Entry of Default within 10 calendar days after the time to respond has elapsed. The plaintiff should request default judgment on the defaulting defendants within 40 calendar days after entry of default. Requests for entry of default judgments will only be considered based upon written submissions.

NOTICED MOTIONS: All regularly noticed pre-trial motions will be heard in the Limited Civil Courtroom on Mondays, Tuesdays, Wednesdays and Thursdays at 8:30 a.m. and will require parties to reserve a hearing date in Department 77. Motions for Summary Judgment must be identified at the time of reservation. All motions should be filed in Room 102. Tentative rulings may be posted on the Court's internet site, <http://www.lasuperiorcourt.org/tentative> ruling, the day prior to the hearing.

EX-PARTE MATTERS: All pre-trial ex-parte applications should be noticed in the Limited Civil Court, Department 77 for 1:30 p.m. Ex parte appearance applications for Department 77 will be heard daily and must be filed by 1:00 p.m. daily in Room 102 on the day of the hearing.

UNINSURED MOTORISTS CLAIMS: Delay Reduction Rules do not apply to uninsured motorist claims. The plaintiff must file a Notice of Designation with the Court, identifying the case as an uninsured motorist claim under Insurance Code section 11580.2

2/7/13

PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 333 South Grand Avenue, #2100, Los Angeles, California 90071.

On **January 3, 2014**, I served the foregoing document described as **DEFENDANT ASSET ACCEPTANCE, LLC'S NOTICE OF REMOVAL** on all interested parties in this action as follows:

Paul Mankin The Law office of L. Paul Makin IV 8730 Wilshire Blvd., Suite 310 Beverly Hills, CA 90211 Phone: (800) 219-3577 Fax: (323) 207-3885	Attorneys for Plaintiff
--	-------------------------

☒ **(BY MAIL)** I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. Postal Service on the same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing on affidavit.

☐ **(BY PERSONAL SERVICE)** I delivered such envelope by hand to the offices of the addressee.

☐ **(BY OVERNIGHT SERVICE)** Via Federal Express

☐ **(BY E-Mail)** I caused such document to be transmitted by electronic format to the office of the addressee(s) listed above.

☐ **(BY FACSIMILE)** By transmitting in true copy thereof by facsimile from facsimile number (213) 457-1850 to the facsimile number(s) shown above.

☒ (State) I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct.

☐ (Federal) I declare that I employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on **January 3, 2014**, at Los Angeles, California.

/s/ Cathy Perez
Cathy Perez